

REMARKS

This application provides for *inter alia* five-membered ring compounds for use in ferroelectric liquid crystal mixtures. Even when administered in small amounts, the instantly claimed compounds exhibit favorable effects on certain properties of the liquid-crystal mixtures, such as, for example dielectric anisotropy, melting point, switching behavior, the tilt angle values and the temperature dependence of the tilt angles.

Claims 1-12 are pending. In order to advance prosecution, claim 1 has been amended and claims 8-12 cancelled, without prejudice, admission, surrender of subject matter or intention of creating estoppel as to equivalents. Applicants reserve the right to pursue the cancelled subject matter in a continuation or divisional application.

The amendments to claim 1 delete cyclopentane derivatives (v), and clarify the **a** and **b** designation for oxazoles (iii) and cyclopentane compounds containing one ethylenical unsaturation (vi) to be either 0 or 1 but no longer both 0.

Claim 1 is rejected under 35 U.S.C. § 102(b) as allegedly anticipated by CA 130:3810, CA 129:175594, CA 125:10674, CA 108:150363, CA 102:95576, CA 96:52210, CA 89:197380, CA 87:39344, CA 78:97536 and CA 73:45428.

The Examiner contends that references CA 130:3810, CA 129:175594, CA 125:10674, CA 108:150363, CA 102:95576, CA 96:52210, CA 89:197380, CA 87:39344, CA 78:97536 and CA 73:45428 disclose a compound represented by RN 27349-48-0 which allegedly anticipates the instantly claimed five-membered ring compounds wherein both **a** and **b** are 0.

Claim 1 has been amended, without prejudice to Applicant's position as to the patentability of the claimed subject matter as originally presented; claim 1 clearly does not include oxazoles (iii) and cyclopentane compounds containing one ethylenical unsaturation (vi)

wherein both **a** and **b** are 0. Accordingly, the cited publications fail to teach Applicants' claimed five-membered ring compounds of formula (I), and therefore do not anticipate Applicants' invention. Applicants respectfully request that this rejection of claim 1 under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Claim 1 is also rejected under 35 U.S.C. § 102(b) as allegedly anticipated by CA 130:124916 which is said to disclose a compound represented by RN 219958-11-9, which allegedly anticipates the instantly claimed five-membered ring compounds wherein both **a** and **b** are 0. Applicants submit that claim 1 does not teach oxazoles (iii) and cyclopentane compounds containing one ethylenical unsaturation (vi) wherein both **a** and **b** are 0. Thus, the rejection of claim 1 under 35 U.S.C. § 102(b) is unwarranted and should be reconsidered and withdrawn.

Claims 1-7 are rejected under 35 U.S.C. § 102 (b) as allegedly anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly obvious, over Krause et al. (U.S. 4,873,019, "Krause"). In response, Applicants urge that Krause does not teach or suggest the instantly claimed invention.

The Office Action contends that "the reference discloses that a cyclopentane derivative represented by formula I having a broad ranges of applications is useful as components of liquid crystal mixture" (Office Action page 3). However, Applicants submit that since the cyclopentane derivatives, such as cyclopentane-1,3-diyl (v), are not encompassed by claim 1, Krause cannot and does not anticipate the instantly claimed five-membered ring compounds.

Moreover, with respect to the rejection under 35 U.S.C. Section 103(a), it is respectfully urged that the instantly claimed 5-membered ring compounds are completely different in structure from the cyclopentane derivatives disclosed by Krause, and therefore Krause fails to teach or suggest the instantly claimed invention. Accordingly, Krause does not render the instant


invention obvious and the rejection under 35 U.S.C. Section 103(a) is unwarranted and should be withdrawn.

In view of the foregoing, Applicants respectfully request consideration and entry of the instant paper, and reconsideration and withdrawal of the final refusal. In the alternative, Applicants respectfully request consideration and entry of the instant paper, since it places this application into better condition for purposes of appeal.

It is believed that no fees are required by the instant submission. However, if any fees are required, or if any overpayment has been made, please charge Deposit Acct. No. 50-0320.

Respectfully submitted,

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